

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

ROOR INTERNATIONAL, BV and)
STREAM, INC.,)
Plaintiffs,) 19-cv-5023
)
v.) Judge Chang
)
CIRCLE S MART, INC. and ISSAM BATNIJ,)
Defendants.)

STATUS REPORT

This status report is being submitted by Plaintiff only, at this time, Defendant was served on September 5, 2019, and answer or appearance is due September 26, 2019.

1. The Nature of the Case

A *Identify the attorneys of record for each party, including the lead trial attorney.*

For the Plaintiff

Christopher V. Langone
17 N. Wabash, Ste. 500
Chicago, IL 60602
(312) 344-1945
langonelaw@gmail.com
(lead trial counsel – member of trial bar)

For the Defendants

No counsel of Record Yet

B. *State the basis for federal jurisdiction.*

Federal Question Jurisdiction exists under 28 U.S.C. 1331 as the claims arise under federal law: the Lanham Act, 15 U.S.C. 1051 and unfair competition, 15 U.S.C. 1121.

C. *Describe the nature of the claims asserted in the complaint and any Counterclaims.*

Trademark infringement and counterfeiting under 15 U.S.C 1114 (count I) and 15 U.S.C. 1116(d) (Count II), false designation of origin, 15 U.S.C. 1125(a).

D. *State the major legal and factual issues in the case.*

Whether Defendant offered for sale counterfeit goods under an infringing mark and where such sale was likely to deceive consumers into purchasing inferior goods; the amount of damages and terms of injunction.

E. *Describe the relief sought by the plaintiff(s).*

Statutory damages; injunction; accounting; reasonable attorney's fees and costs.

2. Pending Motions and Case Plan

A. *Identify All Pending Motions*

There are no pending motions.

B. *Submit a proposal for a discovery plan, including the following information:*

1. The general type of discovery needed;

Sale of infringing product; damages.

2. A date for Rule 26(a)(1) disclosures;

Plaintiff currently proposes 45 days after Defendant appears

3. A date to issue written discovery;

Plaintiff currently proposes 45 days after Defendant appears

4. A fact discovery completion date;

Plaintiff will propose March 15, 2020

5. If there will be expert discovery, an expert discovery completion date, including dates for the delivery of expert reports; and

Plaintiff will propose an expert disclose date of April 15, 2020 and close of expert discovery June 30, 2020.

6. A date for the filing of dispositive motions.

Plaintiff will propose July 31, 2020

C. With respect to trial, indicate whether a jury trial is requested and the probable length of trial.

Plaintiff estimates 2 days for trial.

3. Consent to Proceed Before a Magistrate Judge

A. Indicate whether the parties consent unanimously to proceed before a Magistrate Judge.

Plaintiff will await until Defendant is served to ascertain Defendant's position on this.

4. Status of Settlement Discussions

A. Indicate whether any settlement discussions have occurred;

Not as of now, but Plaintiff will initiate such discussions after Defendant appears.

B. Describe the status of any settlement discussions; and

Plaintiff will await until Defendant is served to ascertain Defendant's position on this.

C. Whether the parties request a settlement conference.

Plaintiff will await until Defendant is served to ascertain Defendant's position on this.

Respectfully Submitted,
/s/ Christopher V. Langone

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